

## **REMARKS**

### **Introduction**

This Amendment is responsive to the May 3, 2006 Office Action and amends claims 1, 2, 5, and 7 to attend to the informalities identified in the Office Action and with clarifying changes. Additionally, the specification is amended to overcome the drawing objections in the Office Action.

The drawings stand objected to for a minor informality as discussed on page 2 of the Office Action. In response, Applicants have amended the specification at page 17, line 30 to replace reference numeral "52" with reference numeral "59" which was a typographical error. Accordingly, a corrected drawing sheet for FIG. 6 is not deemed necessary to overcome the drawing objections and reconsideration of the drawing objections is respectfully requested.

Additionally, claims 1, 2, 5, and 7 stand rejected under 35 USC § 112, second paragraph, for indefiniteness for certain informalities identified on page 3 of the Office Action. Applicants' foregoing claim amendments are believed to overcome the indefiniteness rejections under 35 USC § 112, second paragraph, and consideration of these rejections is respectfully requested.

### **Prior Art Rejections**

In the Office Action, claims 1-7 rejected under 35 USC § 102(b) for anticipation by Nakamura. The foregoing claim amendments include clarifying changes to independent claims 1, 2, and 5. With respect to independent claims 1 and 2, the clarifying language states that the reinforcing frame connecting portions are formed at a connection between a rear end region of each of the reinforcing frames and a rear end region of the elongate frame members forming the vehicle frame. Additional clarifying language in independent claim 1 states that another of the reinforcing frame connecting portions is formed at a connection between a forward end region of each of the reinforcing frames and each of said front loader post support members. With respect to independent claim 5, the clarifying language states that the reinforcing frames extend along the elongate frame members and have one end connected to a rear end region of the elongate frame members and a second end connected to a front end region of the

elongate frame members located forwardly of the vehicle engine. In view of the language associated with independent claims 1, 2, and 5 and the following remarks, reconsideration of the rejections of independent claims 1-3 and 5 for anticipation by Nakamura is respectfully requested.

Nakamura is directed working vehicle having a “frameless” frame structure including two reinforcing frames (4A, 4B) which are secured to opposing sides of brake case (28) and, apparently, to safety frame (6) as shown in Fig. 2 of Nakamura. Accordingly, no elongate vehicle frame members or cross members connecting the elongate vehicle frame members are present in the Nakamura “frameless” frame structure, and to which reinforcing frames (4A, 4B) could be connected. Moreover, as shown in Fig. 2 of Nakamura, reinforcing frames (4A, 4B) do not extend to the forward end of the vehicle beyond the engine (7).

With respect to independent claims 1 and 2, Nakamura does not teach or suggest securing the rear ends of reinforcing frames (4A, 4B) to the rear end region of a pair of elongate vehicle frame members forming part of a vehicle frame. As stated, no such vehicle frame members are present in Nakamura which discloses a “frameless” vehicle. In Nakamura, each reinforcing frame (4A, 4B) is secured to brake case (28) at one end and, apparently, to safety frame (6) in particular, and to tubular body (20) at the other end (See Fig. 2 of Nakamura). No vehicle frame structure is present to which the respective reinforcing frames (4A, 4B) could be connected. The clarifying language of independent claims 1 and 2 states that the reinforcing frame connecting portions are formed at a connection between a rear end region of each of the reinforcing frames and a rear end region of the elongate frame members forming, in part, the vehicle frame. This language clarifies the differences over the reinforcing frame (4A, 4B) disclosed by Nakamura which are not secured at the rear end regions to a pair of vehicle frame members but rather brake case (28) and possibly safety frame (6) because no such vehicle frame members are present in the “frameless” vehicle disclosed by Nakamura.

With respect to independent claim 3, Applicants respectfully traverse the Examiner’s rejection over Nakamura as there is no structure in Nakamura that could be considered to be a cross-frame located behind the rear axle area of the Nakamura vehicle, (See Fig. 2 and the lack of a “cross-frame” in the vicinity of brake case (28)). A *prime facie* case of anticipation has not been proffered relative to independent claim 3. With respect to independent

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claim 5, the clarifying language of this claim clarifies that the reinforcing frames extend along the vehicle frame members and have one end connected to a rear end region of the vehicle frame members and a second end connected to a front end region of the vehicle frame members located approximately forwardly of the vehicle engine. As shown in Fig. 2 of Nakamura, reinforcing frames (4A, 4B) do not extend to the forward end of the vehicle beyond the engine (7) as set forth in independent claim 5. This is clearly evident when comparing Fig. 2 of Nakamura with Fig. 7 of this application.

### **Conclusion**

In view of the foregoing, Applicants respectfully submits that independent claims 1-3 and 5 are not anticipated by or rendered obvious over Nakamura and reconsideration of the rejections of independent claims 1-3 and 5 over Nakamura and allowance of pending claims 1-7 are respectfully requested.

Should the Examiner have any questions regarding any of the foregoing or wish to discuss this application in further detail to advance prosecution, the Examiner is invited to contact Applicants' undersigned representative at the telephone number provided below.

Respectfully submitted,

THE WEBB LAW FIRM

By 

Christian E. Schuster  
Registration No. 43,908  
Attorney for Applicants  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
Telephone: 412-471-8815  
Facsimile: 412-471-4094  
E-mail: webblaw@webblaw.com